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9 UNITED STATES DISTRICT COURT  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
11 (SAN FRANCISCO HEADQUARTERS)

12 GIL CROSTHWAITE, RUSS BURNS, in their  
13 respective capacities as Trustees of the  
OPERATING ENGINEERS HEALTH AND  
14 WELFARE TRUST FUND FOR NORTHERN  
CALIFORNIA, et al.

15 Plaintiffs,

16 v.

17 GLAVIN CONSTRUCTION  
18 MANAGEMENT, a partnership; GLAVIN  
CONSTRUCTION COMPANY, INC., a  
19 California Corporation; and PATRICK J.  
GLAVIN, individually,

20 Defendants.  
21

Case No.: C07-1241 WHA

**REQUEST FOR CONTINUANCE OF  
CASE MANAGEMENT CONFERENCE  
AND ORDER THEREON**

DATE: August 3, 2007

TIME: 9:00 a.m.

COURTROOM: 9, 19<sup>th</sup> Floor

JUDGE: The Honorable William H. Alsup

22 I, Michele R. Stafford, am an attorney at law licensed to practice in the State of California,  
23 and am an associate of Saltzman and Johnson Law Corporation, attorneys for plaintiffs herein.  
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25 1. On June 25, 2007, the Court issued an Order resetting the Case Management  
26 Conference, originally set for June 28, 2007, to August 2, 2007.  
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1           2.       On July 17, 2007, plaintiffs filed a Request for Entry of Default as to Glavin  
2 Construction Management and Glavin Construction Company. Default as to these two defendants  
3 was entered by the Clerk on July 18, 2007.

4           3.       On July 30, 2007, the Case Management Conference was reset by the Clerk's  
5 Notice to August 3, 2007.

6           4.       Plaintiffs have prepared a Motion for Default Judgment which will be filed with the  
7 Court as soon as possible. We are waiting for a signed Declaration with respect to the attorneys  
8 fees incurred by prior counsel, Tracy Mainguy. It is anticipated that the entire Motion can be filed  
9 with the Court by August 6, 2007. Ms. Mainguy is currently on maternity leave and we are in the  
10 process of obtaining her signature on her Declaration of Fees. If the Court would prefer, plaintiffs  
11 can file the Motion on August 1, 2007, with Ms. Mainguy's Declaration to follow once her  
12 signature page is obtained.  
13  
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15           5.       Plaintiffs again respectfully request that the Case Management Conference,  
16 currently scheduled for August 3, 2007, be continued for approximately 10 days to allow counsel  
17 to file the Motion for Default Judgment in its entirety.

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1 It is furthermore requested that all previously set deadlines and dates related to this case be  
2 continued as well.

3 I declare under penalty of perjury that I am the attorney for the plaintiffs in the above  
4 entitled action, and that the foregoing is true of my own knowledge.  
5

6 Executed this 31<sup>st</sup> day of July, 2007, at San Francisco, California.

7 SALTZMAN & JOHNSON LAW CORPORATION

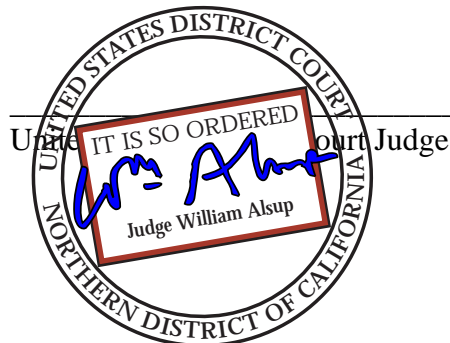
8 By: \_\_\_\_\_/s/\_\_\_\_\_

9 Michele R. Stafford  
10 Attorneys for Plaintiffs

11 IT IS SO ORDERED.

12 The currently set Case Management Conference is hereby continued to  
13 August 16, 2007, at 11:00 a.m.. All related deadlines are extended  
14 accordingly.

15 Date: August 2, 2007.



**PROOF OF SERVICE**

I, the undersigned, declare:

I am a citizen of the United States and am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 120 Howard Street, Suite 520, San Francisco, California 94105.

On July 31, 2007, I served the following document(s):

**REQUEST FOR CONTINUANCE OF CASE MANAGEMENT CONFERENCE**

on the interested parties in said action by placing a true and exact copy of each document in a sealed envelope with postage thereon fully prepaid, in a United States Post Office box in San Francisco, California, addressed as follows:

**Glavin Construction Management  
610 Eubanks Court, Suite B-6  
Vacaville, CA 95688**

**Glavin Construction Company, Inc.  
610 Eubanks Court, Suite B-6  
Vacaville, CA 95688**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 31<sup>st</sup> day of July, 2007, at San Francisco, California.

\_\_\_\_\_/s/\_\_\_\_\_  
Vanessa de Fábrega